

STATE OF SOUTH CAROLINA

(Caption of Case)

Application of Alpine Utilities,
Inc. for adjustments of rates and
charges for the provision of sewer
service and the establishment of
additional rates and charges.

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET

NUMBER: 2008 - 190 - S

(Please type or print)

Submitted by: Richard L. WhittSC Bar Number: 62895Address: Austin & Rogers, P.A.Telephone: 803-251-7442508 Hampton Street, Suite 300Fax: 803-252-3679Columbia, South Carolina 29201Other: 803-256-4000Email: rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

- ☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously
- ☒ Other: Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit of Publication	<input checked="" type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certificatio
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigation
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input checked="" type="checkbox"/> Certification of Service	<input type="checkbox"/> Petition for Rulemaking	<input checked="" type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discovery
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input type="checkbox"/> Discovery	<input type="checkbox"/> Prefiled Testimony	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other:
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

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July 11, 2008

DELIVERED VIA ELECTRONIC FILING

The Honorable Charles L.A. Terreni
Chief Clerk/ Administrator
101 Executive Center Drive, Suite 100
Columbia, South Carolina 29210

RE: • Docket No. 2008-190-S

- Application of Alpine Utilities, Inc. for adjustments of rates and charges for the provision of sewer service and the establishment of additional rates and charges.
- **Response to Applicant's Answer in Opposition and Objection to Petition to Intervene**
- **Clarification of Record**

Dear Mr. Terreni,

The undersigned is legal counsel for Intervenor "Jim Cook and Carolyn Cook" in the above referenced Docket. Today, we have E-filed, my Notice of Appearance, Intervenor's Response to Applicant's Answer in Opposition and Objection to Petition to Intervene and Clarification along with a Certificate of Service.

Accordingly, counsel wishes to have the Docket corrected to show my Client as Intervenor "James C. Cook and Carolyn Cook, General Partners of Happy Rabbit, a South Carolina Limited Partnership, owners and operators of Windridge Townhomes", **NOT**, Intervenor "Jim Cook and Carolyn Cook". I have copied Jocelyn G. Boyd, Esquire and all parties of Record on the Notice of Appearance, Response and this Correspondence.

Respectfully Submitted,

/S/

Richard L Whitt

RLW/jls

Columbia, South Carolina

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-190-S

IN RE:)	RESPONSE TO APPLICANT'S
Application of Alpine Utilities,)	ANSWER IN OPPOSITION
Inc. for adjustments of rates and)	AND OBJECTION
charges for the provision of sewer)	TO PETITION TO INTERVENE
service and the establishment of)	AND
additional rates and charges.)	CLARIFICATION
)	

INTRODUCTION

Intervenors Jim Cook and Carolyn Cook, correctly denominated as, "James C. Cook and Carolyn Cook, General Partners of Happy Rabbit, a South Carolina Limited Partnership, owners and operators of Windridge Townhomes, filed a timely Petition to Intervene in this Docket. Thereafter, Applicant filed a document styled as, "Applicant's Answer in Opposition and Objection to Petition to Intervene". Intervenors Jim Cook and Carolyn Cook's Response and clarification follows:

RESPONSE

Intervenors James C. Cook and Carolyn Cook, General Partners of Happy Rabbit, a South Carolina Limited Partnership, owners and operators of Windridge Townhomes, (hereinafter collectively known as, "Intervenors"), through counsel, responds *seriatim* to the numbering of Applicant's pleading:

1. Intervenors had standing to file their Petition to Intervene in this Docket because they are General Partners of Happy Rabbit, a South Carolina Limited Partnership, owners and operators of Windridge Townhomes (hereinafter as, "Windridge". Accordingly, Windridge is a customer of Alpine Utilities, Inc. (hereinafter, "Applicant") and has standing to intervene and participate in this Docket. As stated in their earlier Petition to Intervene, Windridge's position is that the requested rate increase is, "unreasonable". This response relates back to, and incorporates by reference, Intervenor's Petition to Intervene.

2. Although the earlier Petition to Intervene does mention the impact of the rate increase on the tenants of Windridge, Intervenor's do not, "purport" to have intervened on behalf of said tenants and the reference to said tenants in the Petition to Intervene is in the conjunctive after Intervenor's stated that the rate increase sought was "unreasonable". A fair reading of the Petition to Intervene discloses no attempt to "purport" to represent the tenants of Windridge. The words, "represent" or "behalf" do not appear anywhere in Intervenor's Petition.

3. It is clear that Intervenor's Petition to Intervene references Windridge Townhouses, incorrectly denominated as "Windridge Apartments". Applicant is correct that Intervenor's need to be represented by South Carolina legal counsel to proceed with their intervention and Intervenor's have retained the undersigned counsel. It is the long-standing practice of the Public Service Commission of South Carolina, (hereinafter as, "Commission") to notify laymen of the need to retain legal counsel to proceed with Commission filings and Intervenor's retention of legal counsel today is consistent with the past practice of this Commission.

4. Intervenor's restate their allegation that the rate increase sought by Applicant is unreasonable and request leave from this Commission to contest such relief, through counsel.

5. Intervenor's should be granted full rights to participate in this Docket, including the right to present testimony and witnesses and cross-examine witnesses of other parties.

CLARIFICATION FOR RECORD

6. Intervenor's "Jim Cook and Carolyn Cook" in this Docket should be denominated as Intervenor's "James C. Cook and Carolyn Cook, General Partners of Happy Rabbit, a South Carolina Limited Partnership, owners and operators of Windridge Townhomes", **NOT**, Intervenor's "Jim Cook and Carolyn Cook".

CONCLUSION

Based on the foregoing, Applicant's Objection should be dismissed as being without merit and/or rendered moot by Intervenor's retention of South Carolina legal counsel, and Intervenor should be granted full Intervenor status.

/S/

Richard L. Whitt
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Attorney for Intervenor James C. Cook and
Carolyn Cook, General Partners of Happy
Rabbit, a South Carolina Limited
Partnership, owners and operators of
Windridge Town Homes.

Columbia, South Carolina
July 11, 2008

BEFORE
THE PUBLIC SERVICE COMMISSION
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IN RE:

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CERTIFICATE OF SERVICE

I, Jennifer Stevenson, an employee of Austin & Rogers, P.A., certify that I placed a copy of **Intervenor's Response to Applicant's Answer in Opposition and Objection to Petition to Intervene and Clarification and Correspondence** to the Honorable Charles L.A. Terreni in the U.S. Mails, addressed as below, with proper poster affixed thereto on the date below.

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South Carolina Office of Regulatory Staff
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Austin & Rogers, P.A.

/S/

Jennifer Stevenson

Columbia, South Carolina
July 11, 2008